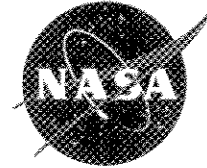


National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



March 28, 2011

Reply to Attn of:

General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA Employees at the Shorty Awards Reception and Dinner on March 28, 2011

On March 28, 2011, the 3rd annual "Shorty Awards" will be held in Times Square, New York City, from 7 pm – 11 pm. The principal organizer of the event is Sawhorse Media, a for profit organization that does not employ registered lobbyists. Various other organizations are involved in supporting different facets of the award event, including Pepsi, Inc., The MacCallam, Nokia, Showtime, and the Knight Foundation. NASA Astronaut Doug Wheelock is a finalist for an award this year and will be attending the event in his official capacity.

The event will be attended by approximately 500 people from a variety of sectors, including social media content providers and other media, for profit organizations, academic institutions and other non-profit organizations, and government agencies. The awards bestowed at the event are for social media content in various categories, including science, technology, charity, government, news and politics. Tickets for attending the reception and dinner are \$105. I find that the reception meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g). The event will provide NASA employees with the opportunity to discuss NASA's programs with representatives of other sectors who are interested in space and aeronautics issues, and who are involved with disseminating information on advanced technology initiatives through the newest media forms. This opportunity will be further enhanced by Doug Wheelock's presence as an award finalist.

Accordingly, I have determined that free attendance at the above-mentioned reception and dinner is in the interest of the Agency because it will further NASA's policies and programs. Accordingly, NASA employees in career positions may accept an invitation from Sawhorse Media to attend.

NASA employees in non-career positions for which Executive Order 13490 requires signing an ethics pledge may similarly accept an invitation to attend from Sawhorse Media, though they should reimburse the sponsors for any drinks consumed. We understand that Sawhorse Media – which is not a lobbying organization – is providing the food, but that Pepsi, Inc. and The Macallan are providing drinks in kind for the event. Because Pepsi, Inc. employs registered lobbyists and we have not been able to verify the lobbying status of The Macallan in the time

available to prepare this determination, we advise that NASA employees bound by the ethics pledge who accept an invitation to attend provide reimbursement of their good faith estimate of the cost of any drinks consumed.

This determination does not apply to invitations to this event from entities other than Sawhorse Media. Moreover, NASA employees whose duties may substantially affect Sawhorse Media, such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.204(g)(3)(i) regarding participation in the event from their local NASA ethics counselor.

A handwritten signature in black ink, appearing to read 'Adam F. Greenstone', written in a cursive style.

Adam F. Greenstone